

C.S.

NAT/FAU/2 # 14

LIVE STOCK.

MISCELLANEOUS.

1931.

No.

1431

Veterinary Officer.

SUBJECT.

1931.

14th January.

PRESERVATION OF HARES IN THE VICINITY OF

PORT STANLEY.

Previous Paper.

10/13.  
263/13.

MINUTES.

Minute from Veterinary Officer. 14th January. 1931.

①

y. 2.

Schedule with a draft

Order in General.

2. ? Circulate to Ex Co.

*Handwritten initials*

15.1.31.

*Handwritten: Hon C.S.*

*Handwritten: Please.*

*Handwritten: AM*

*Handwritten: 15/31*

Subsequent Paper.

*Handwritten: See 0437 Series*

Spoke Mr. A. S. Bennett

J.F.

Re Coco Item at  
Flamingo i at

Re Paper at Cinarua Real

similar to be added to Schedule

I at TP respectively.

J.F.

16.1.31

y.g.

Draft Order to Council

2

submitted accordingly. ? Circulate to Ex. Co.

J.F.

19.1.31

Item C.S

please J.F.

19.31

C.S.O. No. 124/31

Inside Minute Paper.

Sheet No. 2

Hon. Treasurer.  
Hon. P. M. S.

met.  
26.1.31.

J.M. 26/1/31

Circulated for consideration  
in Executive Council on  
Wednesday 28<sup>th</sup> Jan 1931.

G. J. Stewart.  
Clerk, Ex Council,  
26/1/31.

Extract from minutes of meeting of  
Executive Council held on 28th January,  
1931.

The issue of the Order was approved.

G. J. Stewart

Clerk of the Executive Council.

3-4. Minute to Registrar-General. 6th March, 1931.

Y/E.  
Submitted with draft  
despatch.

G. J. S.  
6/3/31.

Y/E. Let. That you: draft appo

2. Please send a copy of the  
Order under cover of a circular  
letter to all Pan Managers.

Ag. for let.

(Mr. H. J. Bennett)

For your

consideration, please.

J. M. Miller

4.4.32.

Hon. Col. Secy:

I utterly fail to see any advantage to bird or man by the suggestions advanced by Mr J. S. Hamilton.

1. I am adverse to any legislature of the flavour of D.O.R.A. Here, we have a group of oceanic islands that are windwept, and without cover in a bird sense. It seems safe to say that over 80% of the bird population is aquatic & that high percentage is very largely derived from the sea. — the ocean; no local interference will assist, or adversely affect such life.

The colony is anything from 4,000 to 6,000 sq miles with a human population of one per two or three sq miles, in addition there are hundreds of islands covered with tussock grass upon which man never

even sets foot. With such space, & supposing legislation to be passed in the lines indicated, how could it be enforced? The present list is ignored & honoured in the breach even within two miles of Stanley. It was to end the ridiculous position that I suggested the removal of a number of birds from the list of 1912, birds placed there for no other reason than that there were few specimens in the British Museum cabinets.

7 apparently.  
2. I agree with Mr Hamilton that numbers of birds are used as living targets. No form of legislation will prevent this sort of thing. Rather, is it more likely to create a vindictive spirit & extend the regrettable practice. The people of the Colony are exceedingly unkind to all animals & wild life, as compared to the prevailing ideas in England; the sole hope of checking the useless slaughter of useless birds (as targets) is by means of a slow & grinding education in that direction coupled with a popular support. Immovable boys with guns do most of this damage. It's the Frenchman's idea of the sportsman, - shoot everything.

3. Places like Tierra del Fuego abound in bird life although the climate is perhaps more violent than our own. The secret is one of trees - i.e. shelter & cover. Small birds (songsters) are very few, both in species & in numbers of a species - i.e. individuals. These compose most of the land birds. The appearance of the Falklands has altered much since the introduction of domestic animals by man. The vegetation has been greatly reduced in height & the fringing tussock wiped out, obliterating what shelter there was originally. yet the

small birds survive, I cannot say as to numbers, for I do not know. Then, too, they still exist in the face of numbers of cats "gone wild"—a most destructive beast. Rats & mice, and Hawks. A recent arrival is the English House sparrow who will fight & kill, or drive away, anything with feathers. Small birds are particularly scarce around Stanley. I attribute this largely to cats & to the very bald condition of the "common" a condition that provides neither food or cover. The protection of eggs is not worth a moment's reflection, except for those species whose eggs form an important item of food, in that case, control should be maintained.

4. The obnoxious birds are, in my mind not really so. The Hawk & Vulture tribe are blackened by being such. The sheep farmer is loud in the damage they do. Many are excellent destroyers of rats but they suffer together with those that do do damage to sheep. I maintain that Raptors who attack sheep are doing good by destroying the unfit. It is an easy matter to blame "something" for destruction, whereas it scarcely seems just that a single shepherd should have 6000, or more breeding ewes to tend alone & then put all the blame on a vulture.

The same might be said of the Upland & the Brant goose upon which constant war is waged, & I believe have been greatly thinned in numbers. These birds are good food while "undoubtedly doing their bit" at sowing the seeds of the finest grasses.

5. In the present treeless state of the Falklands more small land birds cannot be very well expected. There are very few insects & therefore a complete absence of insect feeding birds. If trees were grown as extensively as they should be, the bird population would multiply accordingly. I see no bird in real danger within the Colony & I see no justification whatever to warrant the introduction of the "Bird sanctuary" idea. Rather I see scope for the idea of teaching a love for wild things & the proper place for, & use of, firearms, amongst the young.

I agree with the proper control of the eggs of the Giant Petrel, - on the lines of the penguin or Mollymark.

Alf Bennett  
6 Apr 1932

Inside Minute Paper.

The Treas.

The P.D.O.

for your consideration  
and advice. In all the cases  
I indicate ~~that~~ to the  
opinion that it were best  
to leave well alone at least  
to move in the matter.

2. If action is taken on  
the line suggested by Mr. Hamilton

I fear that the only practical  
outcome will be to stir up

trouble. J. M. [Signature]  
7.4.32.

Hon. Col. Sec.

I fully concur with your views.  
I do not agree with the proposals put  
forward by Mr Hamilton.

Mr. George Hamilton

Treas.

8. 4. 32.

Hon. P. M. O.

Passed to you.

Mr CH

8. 4. 32.

Hon Col Sec.

I concur with your opinions.

HSE

Ag. P.M.O. 9/4/32.

y.s. Subttel. ? no action to be

taken here.

JMS

11. 4. 32

Hon C. S

I agree:

JS

17. 4. 32

Ag. Sec. Gen. AGP 12/4/32

Mr. Treas. McH 12.4.32.

Mr. P. D. O. AGP 13/4/32.

please see

McH

12.4.32.

P.A.  
13/4/32

(911)

Minute from Mr. J. C. Hamilton <sup>13/4/32</sup>

Ag. Gov. Naturalist,

please. For your observations  
In 1932, Mr. Hamilton  
put in a somewhat similar  
Recommendation red (8).

McH  
AGP  
24. 4. 34

Hon. Col. Secy:

I see no reason to alter the opinions  
expressed in my minute of 6.4.32.

It is a very good suggestion, with  
which I entirely agree, that a complete  
list of protected birds + animals should  
be printed separately + distributed. Such  
a list was, at one time, issued with all  
gun licences, and might with advantage

be so renewed after being brought up to date.

Note that two new birds are dealt with, one to be added, & one to be partly removed.

Regarding the former (Dotterel) it is as well to point out that this bird is a summer breeding migrant, departing for the winter to the Argentine.

The date of departure seems to be governed by the arrival of the right wind, and in my experience near Stanley the first S.E. wind after the 1<sup>st</sup> April carries the majority away. The extreme dates that I remember are 6<sup>th</sup> April & 4 May. A few remain the whole winter. The Starling (Robin) is said to be destructive to gardens, especially to potatoes. The point overlooked is that it is my firm belief that this bird hunts gardens for the grubs of a beetle. There are a number of beetles of one family, here, very destructive to root crops, they are known under the local names of "Clock" or "Stick" beetles, *Listroderes*, *Ore, d compressiventria* is not uncommon in Stanley gardens, destroying peas, mint, strawberries, while this white grub - the larva of the beetle, or, one of a related species, attacks potatoes. I believe that the starling is attracted & digs for the beetle grub & not for the potato. The examination of a few stomachs of this bird would determine the truth, if shot in a spot where they are abundant. The thrush could also be charged with damage to fruit in gardens.

A. Bennett  
ag. Nat.  
1.5.54

J.E. Submitted: I agree that it would be more useful to have an up-to-date list of birds prohibited to be taken and those that may be taken during the open season.

2. The Ag. Govt. Naturalist might go through the various inspections which have been

made from time to time since  
the original Ord: was passed in  
1913, and prepare and  
submit an amendment  
covering all previous modifications  
and the additional birds  
recommended to be added by  
Mr. Hamilton M.Sc.

MCH  
Ag. C.S.  
2. 4. 14.

Hon. C.S.

I agree: please  
ask Mr. Fort. let. to proceed  
accordingly.

Jud

Ag. Govt. Naturalist → S. S. 34.

In action accordingly please.

MCH.  
Ag. C.S.  
7. 5. 14.

Hon. Col. Secy:

I beg to attach draft of what  
might, perhaps, be called a "guide to  
shootings" The bird section is rather  
complicated & I have found it necessary  
to add a sheet of explanations  
I believe this list is complete for I can

find no further additions to make.

ag Bennett  
14/5/54  
ag. inst.

My Naturalist.

I consider that Great Petrel and King's Shag should be omitted from proposed Schedule 2.

Is there any objection in protecting the Great Petrel? if so it could be added to proposed Schedule 1. King's Shag might also be added to that Schedule.

2. Do you recommend that New Rock Shag should be wholly protected? I do not see the point in protecting this bird - the numbers shot by "non-sportmen" must be comparatively few in relation to the millions round the coasts of the colony.

3. Do you recommend also that Stork and Flamingo should be protected?

4. I agree that the F. I. Sparrow should be protected. What about the other small birds - "lark" and "blue-bird"

5. Please see and revise draft amendment for new O. in C. and make any deletions or additions you may think necessary.

W. H. Bennett  
14/5/54

Hon. Col. Seay

I hold that Schedule I should  
be wiped out, except for:-

Cocoi Heron

Flamingo

Robin = Red Breasted Starling.

The first two are "occasional" visitors  
& seem to remain for long periods; their  
strict protection would cause no inconvenience  
& it might be found that they would breed.  
The Robin has a bad name for potato  
digging in the camps; I believe this bird is  
really seeking a beetle grub that attacks  
those vegetables.

Beyond these three birds I can see  
no reason whatever to either retain those  
already on the Schedule, or add others  
to it (S. Georgia excepted). Shags are in  
immense numbers. Grebe are safe because  
the craze for their skins has gone, & of  
the remainder, none are, so far as I know,  
ever shot. The small birds no one ever  
molests, they are not worth a cartridge.  
and protection is likely to create a  
revengeful spirit.

I see no useful purpose <sup>in</sup> retaining  
Two barred Plover and Dotted on Sched II.  
Neither are game birds in the sense of their  
size. True, an occasional one might fall  
to a boy with an air gun, but the number  
is insignificant.

I shall be pleased to adjust "draft"  
on the above, or other lines

Ag. Semmuto  
21. 5. 1934. ag: Mat.

7  
not to return

J.H.

Perhaps this matter can stand over until Mr Hamilton returns when he and the Ag. Naturalist could consider the matter together and submit their joint recommendations.

2. Neither the Ag. Naturalist nor myself can find any adequate reason for including the birds set out in (15) under Schedule I.

MCH  
by ed.  
28. 4. 34.  
✓ J.H.  
28. 5. 34.

Office,

Bring up when Mr J.H. Hamilton is present in Stanley. MCH

Mf 21/3/34  
Jf 15-6-34  
WV 29. 0. 34

Mr J. E. Hamilton, M.C., F.L.S.

Will you kindly consider this matter together with the Ag. Govt. Naturalist and furnish in due course your joint recommendations.

MCH  
by ed.  
19. 7. 34.

Paper recalled  
18 January 1935  
a.l.f.

~~Mf 28/2/35~~  
~~Jf 22/1/35~~  
C.D. 16/2/35

~~Mf 16/2/35~~  
~~Jf 2/2/35~~

Mr. Hamilton M.S. F.Z.S.

These papers were with the Ag. Naturalist and no action has apparently been taken re my minute of 28<sup>th</sup> May 1954. If time permits before your departure would you and the Ag. Naturalist kindly consider the matter.

MCH  
C.S.

28. 7. 55

Hon. Col. Sec.

I greatly regret that time has not permitted of a consultation with the Ag. Govt. Naturalist. I may I have his papers again on my return.

Mr. Hamilton

12. 11 - 55

Ag. Govt. Naturalist

Apparently Mr. Hamilton has had no time to give to this matter. Perhaps you will be good enough to prepare draft Schedules on the lines indicated in your minute on sheet 8.

MCH C.S.  
12. 3. 55

Hon: Col: Secy:

Draft herewith. An OinC appears necessary to legalize the proposed Schedules. Schedule 1 is here reduced very much from the original, while schedule 2 covers all that I believe to be necessary. The closing of the "open" season on the 1st of August is, perhaps, too early in many years, and I would suggest the 1st of September as being quite soon enough for Hare protection.

Reas  
16-77

A. J. Bennett  
ag. Nat:  
14. 3. 1935.

Ordinances, Orders in Council etc 1913-1924

Govt. Naturalists,

(18)

Red 19 shows what animals and birds will remain under Schedules I and II after amendments shown on draft O. in C. have been made (red 20). Will you kindly check and see if these are alright.

MCH  
C.  
5. 6. 35

Hon: Col: Secy:

Draft checked, amendments in red on (19 Red). Might I suggest that "Hare" should appear first on the list as an animal in Schedule II, & "Reindeer" in Schedule I

A. J. Bennett  
ag. Nat:  
6/6/35

JK.

There appears to be considerable doubt in the Colony as to the animals and birds either wholly or partly protected and also the actual period of the close season. In due course it is proposed to issue notices for circulation showing animals and birds under Schedule I which are wholly protected and those under Schedule II, protected during the breeding season, and fixing the period of the close season, 30<sup>th</sup> Sep<sup>r</sup> to the last day of Feb<sup>r</sup> in each year.

2. There is no point in retaining under Schedules I and II the birds set out in the attached O. in C. (20) I agree with the Ag. Naturalist that these birds should be removed from the Schedules. If this amendment is made then the animals and birds remaining either wholly or partly protected are shown on

19.

mch  
cs  
11.6.35

*In circulation to Ex. C.*

~~12/4/35~~ 12/4/35

Clerk Ex. Co.  
Accordingly please.

mch  
cs  
12.6.35

Draft Order in Council

21.

~~Hon. G. Roberts~~ CMB. 17-6-35.

Hon. A.R. Noade, a.r.u. 17 June 1935

Circulated for consideration  
at next meeting of Executive  
Council.

A. J. Hewitt  
Clerk, Ex Council  
15/6/35

Hon. Mrs. ~~AB~~ 2/7/35  
Circulated.

C. J. J.  
Ex. Co.  
9/7/35

Extract from minutes of meeting of Executive Council  
held on the 12th of July, 1935.

The issue of the Order was approved.

A. J. Hewitt

Clerk of the Executive Council.

P. H.  
22/7/35

22-23.

Despatch to S of S. no. 139 of 21/8/35.

Yh. Order in Council submitted for signature also despatch covering copies to the S of S.

mch  
cs  
22.8.35

H.C. 1.

Is it not advisable to give reasons to the S of S for the D.C. ? I suppose it goes to the Sr. Secy.

TTTTT 22/8/35

Yh. Despatch resubmitted.

mch  
cs  
24.8.35

TTTTT 26/8

24. Minute to Registrar-General of 27/8/35.

Govt. Naturalisation

To note.

mch  
cs  
27.8.35

Hon: Col: Secy:

Noted, thank you. I should be glad of a copy of (22 red) for Naturalists office. I have added "Cape Horn Her" to (17 red)

Alf Bennett  
3.9.55 ag Nat.

ag. Col: Naturalist:

three copies herewith.

C. J. A.  
for  
3/9/55

Hon: Col: Secy:

Thank you, copies withdrawn

Alf Bennett  
ag Nat.  
25/9/55

B. f. 10. £ 55  
mch 25. 18 55

Ag. Naturalist:

Please see attached Notes and kindly say if you agree, particularly if animals and birds in Schedules I and II are correct.

The close season is 1<sup>st</sup> Sep<sup>th</sup> to 28<sup>th</sup> Febry.

mch  
17.10.55

Hon: Col. Scay:

I agree with the attached notes, in every way. ~~It takes it that "Teal" includes Pampa Teal error etc.~~

The Schedules I + II appear to be correct.

Ag. Permits as Not. 19.X.35

M.

As there appears to be a good deal of doubt in the colony regarding the periods of the "Close" and "Open" seasons and the wild animals and birds wholly or partly protected, has M. any objection to the publication of the attached Notes on the Subject.

M.C.H. 21.X.35

Handwritten signature in red ink, possibly "Hans", with date 21/X.

Notes passed to Editor "Penguin" to publish as a supplement

A.I.P. 24/10/35

25-27 P.A. 24/10/35

Hon. Secy.

Copies of Notes for you  
to withdraw.

I suggest that a copy  
might be handed to persons  
registering firearms.

MCH  
C.I.  
1. XI. 35.

Hon. Secy.

Copies of the notes have been withdrawn and will be  
issued as suggested.

J. P. G.  
4/11/35

✓ P. A.  
MCH

S of S despatches no: 141 of 14/1/35.

(28)

Govt. Naturalist

Please consider and submit  
on a separate sheet the reply  
which should be made to the  
enquiry.

MCH  
C.I.  
19. 12. 35

Hon: Col: Secy:

I beg to submit & attach my  
reply to the enquiry.

(29)

AGT  
ag: Nat  
20/12/35

Yh.

Resd 28 Submitted.

2. It would perhaps be as well to send to the S. of S. for the information of the Dept. of Zoology of the British Museum, a copy of the Ag. Naturalist's minute on the subject.

mch  
C.S.  
21. XII. 55

~~Yh~~ 23/11/55

(30)

Despatch to S of S. no. 180 of 3/12/55.

Yh.

Despatch Submitted.

mch  
C.S.  
31. XII. 55

Ag. Naturalist

To see

mch  
C.S.  
31. XII. 55

Hon. Col. Secy:

Secn. thank you

AGN ag Nat  
1/1/56

✓ P. a. mch

Mr. Hamilton

To see and for any observations you may wish to make.

P. C. L.  
13/5/36

Hon. Col. Sec.

There is a standing difference of opinion between Mr. Bennett and myself with regard to the value of protection. My experience leads me to believe at least in <sup>in</sup> detail efficiency and further if one does come across a breach of the law it is possible to take action instead of making a useless protest in words.

2./ I have no reason to alter my views as set forth in reeds (8)(9)(10) and (11) except that the finest Petrel might be placed in my Schedule 2. I have heard a few complaints about this bird damaging crops but feel by no means satisfied that the matter is of the slightest importance. nevertheless the modified protection would not produce a feeling of grievance when total protection might.

3./ It is unfortunate that the Musk was removed from <sup>the</sup> Schedule. It is known to be an enemy of the blow-fly, as is Cinclodes. Some of the managers actually encourage musks to nest in their woodsheds on account of their fly-killing value.

4./ I cannot believe that people would kill birds just because they are protected; ammunition is too expensive.

5./ A general protection has the advantage of not emphasizing the rarity of this or that species.

J. H. Hamilton

7.E

Red (32) with enclosure is submitted together with Mr. Hamilton's minute.

2. Shall I prepare a minute to be addressed to Mr. Bennett asking him to call and discuss the question with Mr. R. B. Kinnes?

J.E. 25/5/36

Please send a letter to Mr. Bennett accordingly

ttttt 26/5/36

(33)

Letter to Mr. A.D. Bennett of 27/5/36  
P.A. 27/5/36

P.A. 27/5/36

(34-5)

Letter from Mr. J.E. Hamilton 17/5/36

7.E.

Submitted for instruction

J.E. 18/5/36

Legally 'birds resembling partridge' would be an impossible definition. There is no reason why partridge should be put on the protected list

A note will be put in the paper

ttttt 18/5/36

Notice for 'Penguin' of 20. 8. 36. (36)

Minute from H.E. The Governor <sup>24/8/36</sup> (27)

H.E.,  
Pds ① + ② ⑩ + ⑫ refer.

cf. J. Sch. 24/8/36

I see no new reason for  
protecting hares for a close season than  
for protecting rabbits. As far as I  
know they do destroy any new plantations  
e.g. the experimental plot and the  
tussac plantations. Please ask the  
Common Ranges whether this is so.

ttttt 24/8/36

### Common Ranges.

Will you please say whether  
hares have caused any damage  
to the tussac and sand grass  
plantations.

J.F.  
C. Fort. 25/8/36.

Hon Col Sec.

Yes, hares have done a considerable amount  
of damage to the tussac and sand grass  
plantations, especially in the new plantation.

J.F.  
C. Fort.  
26. 8. 36

V.E.

Minute by the Common Range submitted for the instructions of V.E.

P. Cal.  
31/8/36

The preservation of hares is based entirely on former prediction of Government

There is no reason for preserving them on biological grounds

Circulate pt. to Ex. Co. in question of deleting them from the schedule  
H.H.H. 31/8/36

Hon. Secy. 2/9/36.

G. Roberts

A.R. Hoare

Circulated for your observations please.

C. D. G.  
for 1/9/36.

Hon. Secy.

During my tour I have noticed in several areas the damage done by hares to young goose hedges & I presume the same is happening to young tinnos shoots.

The hare might be deleted from the schedule for say 3-4 years in order to allow the plantations to get a proper hold, but generally speaking I am adverse to removing birds & animals from the protective list

Hon. Col. Sec.

I agree the hare should be deleted from the schedule.

There is little doubt that they are doing damage to the young tussock plants at Big Rookery Bay Plantation; also to the sand grass at the Peninsula. The latter would be a good place for a drive, this might be suggested to some local sportsmen?

G. Roberts.

2/9/36.

Hon. Col. Sec.

I agree that hares should not be protected

A.M.

2 Sept 36

cc  
Tanner note to  
27 Deering House  
8/9

38.

Draft Order in Council.

Early.

Hon. Sec. O. T. B. 8/9/36.

G. Roberts, M.C. 9/9/36.

A. R. Hoare, A.M. 15 Sept 36

Circulated for consideration in Executive Council on 12<sup>th</sup> Sept: 1936.

C. J. Skewell  
clerk, E.C.C.

Extract from minutes of meeting of Executive Council held on the 12th of September, 1936.

The issue of the Order was approved.

*C. S. Russell*

Clerk of the Executive Council.

39-40. Despatch to S. of S. No. 152 of 31/10/36.  
Y.E. Despatch submitted for signature together with the  
ord.

*J. E. S.*  
21/11/36

*TTTTT* 3/11

(41) Minute to Registrar-General of 11/11/36.

*J. K.*  
31/11/36  
Letter from Mr. Naturalist

(42)

Y.E. submitted: Does Y.E. desire a reply to be sent to (37) stating that a satisfactory arrangement has been reached as the result of the visit of the Mr. Naturalist whilst on leave?

*J. E. S.*  
28/11/36

Not necessary

*TTTTT* 28/11/36

*P. A.*  
30/11/36

Memo. from Govt. Naturalist of 30.7.48

43

44

A.O.

(43) F.O. H. L  
4.5  
45

H.C.S.

Think the matter is of small consequence and would only add another regulation to the law which present Police Facilities would be impossible of enforcing. I would wait till the need for such legislation was felt by the sporting community as without their appreciation of the benefit to be derived from it, it would only tend to bring the law into contempt.

The Sheep Owners Association should also be consulted as any increase in hares ensuing, would reduce the grazing available to sheep.

John P. Belov.  
A. O.  
4/8/48.

Letter to Sec. Sheep Owners' Assoc. of 7.8.48.

Memo. from " " " " 2.9.48

46 20/9/48  
B.W. 20/9/48  
47 31/8

48

G.N.

(43) - (47) You have has become something of a herring!

2. § 2 of (47)?

3. Re. when brought A.O. L  
49. 6.5

H.C.S.

43

Please see my para 1.

Until comparatively recently these animals were protected in the breeding season, and I am sure that you will agree that the killing of them then is a repellent practice. <sup>more over, as found they are in their worse condition</sup>

I do not see that the Administration <sup>should</sup> need to consider the matter of payments when only one firm is likely to imagine it beneficial..

There is no reason to suppose that ~~the~~ <sup>in the slightest</sup> prospect of hares reducing the price.

? What members of the S.O.A.?

J.P. G.N.

7-ix-48

1

No.

MINUTE.

(It is requested that, in any reference to this minute, the above Number and the date may be quoted).

14<sup>th</sup> Jan. 19 30.

From Veterinary Officer.

To

THE COLONIAL SECRETARY,

Stanley, Falkland Islands.

I ~~was~~ to prevent the extermination of penguins in the vicinity of Port Stanley, I beg to submit that a close season, similar to that for Teal, be enforced. I would also suggest that hunting, by dogs be prohibited.

*Handwritten in red ink:*  
Hon. C.S.  
I instructed Mr. [unclear] to [unclear] in this minute. I am very fond of pines.  
(15/31) MA

No. 14/31.

(It is requested that, in any reference to this minute the above Number and the date may be quoted).

MINUTE.

6th March, 19 31.

From

THE COLONIAL SECRETARY,  
  
Stanley, Falkland Islands.

To The Registrar-General,  
  
Stanley.

I am directed by the Acting Governor to attach herewith for insertion in the files of the Registrar-General, an authenticated copy of an Order in Council, <sup>made</sup> made under the Wild Animals and Birds Protection (Amendment) Ordinance, 1913.

*C.S.S.*

for Colonial Secretary.

The Wild Animals and Birds Protection (Amendment)  
Ordinance, 1913.

ARNOLD HODSON.

*Governor.*

His Excellency the Governor, in virtue of the powers in him vested by section 7 of the Wild Animals and Birds Protection (Amendment) Ordinance, 1913, and otherwise, and with the advice and consent of the Executive Council, is hereby pleased to Declare and it is hereby declared that the undermentioned wild animal and wild birds shall be added to the list of animals and birds contained in Schedules I and II to the aforesaid Ordinance :-

SCHEDULE I.

Cocoi Heron      (*Ardea cocoi*)  
Flamingo        (*Phoenicopterus chilensis*)

SCHEDULE II.

Hare.  
Pampa Teal      (*Querquedula versicolor*)  
Cinnamon Teal (*Querquedula cyanoptera*)

Made by the Governor in Executive Council at a meeting held on the 28th day of January, 1931.

A. I. FLEURET.

*Clerk of the Executive Council.*

CIRCULAR.

No. 439/30.

Colonial Secretary's Office,  
Stanley.

7th March, 1951.

Sir,

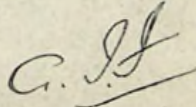
I am directed by the Acting Governor to forward to you copies of the subsidiary legislation detailed below and to request that you will give your attention to the provisions thereof and will also cause them to be brought to the notice of all persons resident on the station under your management :

- (1) Proclamation No. 1 of 1931 made under the Wild Animals and Birds Protection (Amendment) Ordinance, 1913.
- (2) Order of the Governor in Executive Council under the Wild Animals and Birds Protection (Amendment) Ordinance, 1913.
- (3) The Penguins (Amendment) Regulations, 1931.

I am,

Sir,

Your obedient servant,



for Colonial Secretary.

ALL FARM MANAGERS  
EAST AND WEST FALKLANDS.

6

GOVERNMENT HOUSE,  
STANLEY.

10th March, 1931.

FAKLAND ISLANDS.

No. 47.

My Lord,

I have the honour to transmit six copies of an Order made by the Governor in Executive Council on the 28th of January, 1931, under the Wild Animals and Birds Protection (Amendment) Ordinance, 1913.

I have the honour to be,

My Lord,

Your Lordship's most  
obedient humble servant,

J. M. ELLIS.

THE RIGHT HONOURABLE  
LORD PASSFIELD OF PASSFIELD CORNER, P.C.,  
SECRETARY OF STATE FOR THE COLONIES.

SCHEDULE A.

Non-protected Birds.

1. Turkey Buzzard.
2. Carancho.
3. Johnnie Rook.
4. Upland Goose.
5. Brent Goose.
6. Dominican Gull (White Gull)
7. Skua (Sea Hen)
8. Common House Sparrow. (English Sparrow)

SCHEDULE B.

Birds and Animals which may be shot in the open season.

1. Hare.
2. Military Starling (Robin)
3. Thrush.
4. Falkland Island Sparrow.
5. Common Teal.
6. Pampa Teal.
7. Widgeon.
8. Grey Duck.
9. Pintail Duck. (Grey teal or Grey Widgeon.)
10. Snipe.
11. Shag.
12. Giant Petrel.

PROTECTION OF EGGS. SCHEDULE C.

Eggs which may be taken without a permit.

1. All birds in Schedule A, and
2. Black Browed Albatross (Mollymauk)
3. Logger Duck.
4. Grey Duck.
5. Scoresby's Gull. (Dolphin Gull)

SCHEDULE D.

Eggs which may be taken by permit only,

- 1 Giant Petrel.

No.

MINUTE.

(It is requested that, in any reference to this minute the above Number and the date may be quoted).

2nd April. 19 32.

~~From~~ To

From.  
To Mr. J.E. Hamilton.

THE COLONIAL SECRETARY,

Stanley, Falkland Islands.

I beg to suggest that the Ordinance for the protection of Birds and Animals might well be reviewed, and with advantage to the local ~~ornitho~~ fauna. The present law affords no protection to the majority of the species while it may be suggested that the existence of a list of specially protected birds may make collectors more desirous of securing specimens of the species so protected.

It is my opinion that there is a considerable amount of wanton destruction of birds in the Colony and that an Ordinance which protected almost all species could act as a deterrent to the rather numerous people who regard a bird as a living target. Certain species either are or are believed to be so obnoxious that they should not be protected, a list of these is appended, as well as a list of birds which might be shot in the open season, as existing, since they rank as Game birds.

The protection of eggs might well be initiated but should except those of all non protected birds, and those of certain species which are recognised as delicacies. I would state that these exceptions would not endanger the existence of any species with which I am acquainted.

A special clause might allow the taking of Giant Petrel eggs by a free permit only, since the rookeries of this bird, which are not numerous, can be emptied fairly easily and the bird will not lay a second time (Only one egg is laid). Last season the important rookeries were actually cleaned out, so far as my knowledge goes.

*J. Hamilton*

The Honourable Colonial Secretary.

During my recent tour in the camp I was, from time to time, asked questions referring to the species of birds protected by Ordinance no.1. of 1913 and as to the duration of the close season. From the nature of the questions it appeared that there was a measure of confusion in the public mind on the subject of wild bird protection.

It is hardly necessary to state that since the Ordinance came into operation a number of orders referring to wild bird protection have been made; these, naturally, are not embodied in the bound volume of the Ordinances but are scattered through the numbers of the Gazette during the last nineteen years and are therefore comparatively inaccessible to the public.

I would venture to suggest that this is an appropriate time for a consolidation of the orders so that they may be generally available for the instruction of the public.

2. There is, most unfortunately, in the Colony a widespread tendency to regard the unprotected wild fauna as natural targets for the rifleman and, as is well known, firearms are in very general use. I may mention the Shag (Phalacrocorax spp.) as one of the birds which is commonly killed in this manner. In addition to this it is a common act, when a strange visitor is seen, to shoot it "to have a look at it" and almost invariably birds so shot are simply thrown away; they do not even become available as specimens for ornithological purposes.

3. I would suggest that both the doubt as to the protection laws and the general slaughter would be beneficially affected if the subject of wild bird protection were approached from a slightly different angle.

My suggestion is that all wild birds might be pro-

protected throughout the year with the exception of those in the following two categories.

I. Birds which may be killed during the open season: as a rule those which may broadly be called "game birds".

II. Birds which may be killed at all times, since they are generally believed to be directly or indirectly injurious to the sheep farming industry or to horticulture.

3. It is true that in a country with a population so scattered as that of the Falkland Islands completely efficient protection cannot be hoped for, but a considerable improvement in the existing state of affairs should be brought about by such a change as that indicated above.

It is my opinion that the mere publication and broadcasting of the altered scheme would have a beneficial effect since there is, even now, an aversion to killing birds which are protected.

If the sympathy of the various station managers could be enlisted it would assist in making protection more effective.

I understand that the question of extending the Close Season to March 31 is under consideration.

4. As for the two mammals which are included in the Ordinance or orders made under it, the Reindeer and the Hare, they should retain the protection which they at present enjoy.

Schedule I. Species which may be killed during the open season. *i.e. between the months*

Grey Duck (Anas cristata)  
 Teal (Common Teal, Nettion flavirostre)  
 Pampa Teal (Querquedula versicolor)  
 Chiloe Wigeon (Wigeon, Mareca sibilatrix)  
 Pintail (Grey Wigeon, Grey Teal, Dafila spinicauda)  
 Snipe (Capella paraguaiiae)  
 Winter Plover (Dotterel, Zonibyx modestus)  
 Military Starling (Robin, Trupialis falklandicus)

Schedule II. Species which ~~may be killed~~ <sup>are not protected</sup> at any time.

~~Turkey Buzzard (Cathartes falklandica)~~  
~~Carancho (Polyborus plancus)~~  
~~Johnny Rook (Ibycter australis) *omit*~~  
~~Upland Goose (Chloephaga magellanica)~~  
~~Brent Goose (Chloephaga rubidiceps)~~  
~~Dominican Gull (White Gull, Larus dominicanus)~~  
~~Skua (Sea Hen, Cathacta skua antarctica)~~  
~~English Sparrow (Passer domesticus)~~

J. Hamilton

23-iv-34

2. Control of payments

? S. G. Duck.

U. Goose.

Schedule 2

Birds and animals that may be shot in the "Open Season".

- X (15) Hare.  
 (16) Stinker, Giant Petrel, (Macronectes giganteus solanderi)  
 (17) Dootrel, Winter Plover. (Zon~~yx~~ modestus)  
 (18) Two-barred Plover. (Charadrius falklandicus)  
 (19) Snipe. (Capella paraguayiae).  
 (20) Black-necked Swan. (Cygnus melanocoryphus)  
 (21) White Swan. (Coscoroba coscoroba)  
 (22) Grey Duck. (Anas cristata)  
 (23) Chiloe Wigeon. (Mareca sibilatrix)  
 (24) Teal, Yellow-billed Teal, (Nettion flavirostre)  
 (25) Pintail, (Dafila spinicauda)  
 (26) Pampa Teal, (Querquedula versicolor)  
 (27) Cinnamom Teal. (Querquedula cyanoptera)  
 (28) Mallard. (Anas boschas)  
 X (29) King's Shag. (Phalacrocorax albiventer)  
 (30) Robin, Red-breasted Starling. (Trupialis falklandicus).

Permits to take specimens, to a limited number, of animals and birds protected under the above Ordinances for scientific or special reasons are issued by the Colonial Secretary in Stanley, and by the Magistrate in the Dependencies

*Preservation of wild animals + Birds Ordinance 1913*

*+ subsequent orders in Council*

*subordinate legislation (see Reg. 18)*

FALKLAND ISLANDS and its DEPENDENCIES.

Regulations in force covering the use of firearms and the protection of birds and animals. 1934.

Firearms. All firearms must be registered with the Colonial Treasurer in Stanley, or with the Magistrate in the Dependencies. Cost 5/- per year. Penalty for failure £50 <sup>and</sup> Six months imprisonment.  
*Firearms Ordinance 1930 (Small type) ✓*

Seals. All Seals are rigidly protected within the Colony and Dependencies. Licences are issued by the Colonial Secretary in Stanley. Penalties £100.  
*Seal Fishery Ordinance 1899 Seal Fishery in the Dependencies 1909 ✓*

Penguins. These birds are protected, together with their eggs. Egg licences are issued by the Colonial Secretary in Stanley, and by the Magistrate in the Dependencies. Egg licences cost 5/- for each thousand named on the permit. Penalties £30.  
*Not intended to apply to a few eggs for specimens*

*Approved by Res. 9/14/37* ← *Penguin Ordinance 1867 & Penguin Protection Ordinance 1909* →  
*(Penguin Regulations 1914)*

Animals, Game and other Birds.

Certain animals and birds are protected during the entire year, schedule 1. These cannot be killed at any time. Penalties £10 per animal, £2 per bird.

Schedule 1.

Reindeer. ) Applies to South Upland Goose. (Chloephaga magellanica) Georgia only

- ✓ (1) Brown Grebe, Rolland's Grebe. (Podiceps rollandi)
- ✓ (2) Silver Grebe, Bright-cheeked Grebe. (Podiceps calipareus)
- ✓ (3) Kelp Pigeon, Wattled-Sheathbill. (Chionis alba)
- ✓ (4) Dolphin Gull, Scoresby's Gull, (Larus scoresbyi)
- ✓ (5) Kelp Goose. (Chloephaga hybrida malvinarum)
- ✓ (6) Rock Shag. (Phalacrocorax magellanicus)
- ✓ (7) King's Shag. (Phalacrocorax albiventer)
- ✓ (8) Stork, Coooi Heron. (Ardea cocoi)
- ✓ (9) Flamingo. (Phoenicopterus chilensis).
- ✓ (10) Tussock Bird. (Cinclodes antarcticus)
- ✓ (11) Cobbs Wren. (Troglodytes cobbi)
- ✓ (12) Thrush. (Planesticus falklandicus).
- ✓ (13) F.I. Sparrow, Black-throated Finch. (Phrygilus m melanodera)
- X (14) Robin, Red-breasted Starling. (Trupialis falklandicus).

Sched. II

Other animals and birds are protected during the breeding season, known as the "Close Season". This period extends from the 1st of August <sup>Sept</sup> to the last day of February, during which time none may be killed. Penalty £1 per bird or animal.

*Proc 9/1931*

The "Open Season" is thus from 1st March to 31 July <sup>any</sup> following.

Explanation to Draft

In Red.  
Nos 1-2.

Grebe alone has, hitherto, been mentioned. There are two. Grebe was removed from Sched 2 to Sched 1 by O in C. 31.3.13

6-7

No 7 is at present in Sched 2, No 6 not protected. Mr J.E. Hamilton suggests Nos 6 & 7 be placed in Sched 1 MP 14/31 (7) Red. If No 7 goes up to Sched 1 it must be deleted as No 29 in Sched 2.

13

F. S. Sparrows suggested by Mr J.E. Hamilton in MP 14/31 (7) Red. I do not agree.

14

See No 30.

17

suggested by Mr J.E. Hamilton in M.P. 14/31

26

~~suggested~~ " " " O in C 28.1.31 in M.P. 14/31

27

do do.

29

at present in Sched 2, See 6 & 7 above

30

at present in Sched 1. Suggested by Mr Hamilton (M.P. 14/31 (9) Red.) Sched. 2. Must come out of one list.

If any changes are made on suggestions as above, an O in C appears necessary.

28.

Mallard = European Wild Duck. This bird was introduced prior to 1912. I think it very doubtful if any now exist

RPB

Birds and animals which  
may be shot in the "open season"

II

Have

Ootrel, White Plover. X

Two-banded Plover. X

Snipe.

Black-necked Swan

White Swan

Grey Duck.

Chiloe Wigeon.

Teal

Pintail

Pampa Teal

Cinnamon Teal

Mallard.

Robin. Red-breasted Starling. X

I

Birds wholly protected:-

Brown Grebe

Silver Grebe

Kelp Pigeon

Dolphin Gull.

Kelp Goose

King's Shear

Tussock Bird

Cobb's Wren

Thrush.

It's Sparrow

There seems to  
be no protection  
any of these birds

FALKLAND ISLANDS and its DEPENDENCIES.

SHOOTING.  
)-----{(

To be amended (17)

Regulations in force covering the use of FIREARMS, the protection of BIRDS and ANIMALS. 1935.

FIREARMS. All firearms must be registered with the Colonial Treasurer in Stanley, or with the Magistrate in the Dependency. Cost. 5/- per year. Penalty for failure and £50, or six months imprisonment.

( Firearms Ordinance 1930 (small type)).

SEALS. All Seals are rigidly protected within the Colony and Dependencies. Licences are issued by the Colonial Secretary. Penalties £100.

( Seal Fishery Ordinance 1899, and Seal Fishery in the Dependencies Ordinance 1909.) (small type).

Repealed by ord 1/31

PENGUINS. These birds are protected together with their eggs. Egg licences are issued by the Colonial Secretary in Stanley, and by the Magistrate in the Dependency. Egg licences cost 5/- for each thousand named on the permit. Penalties £30. (Penguin Ordinance 1867, Penguin Protection Ordinance 1909.) (small type) See Penguins Regulations under ord 9/14 issued Nov 1914.

Repealed by ord 9/14

ANIMALS, GAME and OTHER BIRDS. Certain animals and birds are protected during the entire year, Schedule 1. These cannot be killed at any time. Penalties £10 per animal, £2 per bird.

SCHEDULE 1.

*Cape Horn other*

- Cocoi Heron, Stork, - Ardea cocoi
- Flamingo, Ruddy Flamingo, - Phoenicopterus chilensis.
- Red-breasted Starling, Robin, - Trupialis falklandicus.

The two following applies to South Georgia only:-

- Reindeer. - Rangifer tarandus.
- Upland Goose, - Chloephaga magellanica.

Other animals and birds are protected during the breeding season - known as the "Close Season". This period extends from the 1st of August to the last day of February following

Proc 1/31

during which time, none may be killed. Penalty £1 per bird or animal.

The "Open Season" is thus from the 1st of March to the 31st of July following.

SCHEDULE 2.

- Hare, - Lepus europaeus
- Grey Duck - Anas cristata.
- Chiloe Wigeon, -Mareca sibilatrix.
- Teal, Yellow-billed Teal, -Nettion flavirostre.
- Pintail, - Dafila spinicauda.
- Pampa Teal, Querquedula versicolor.
- Cinnamon Teal, Querquedula cyanoptera.
- Snipe, - Capella paraguaiae.

Permits to take specimens, to a limited number, of animals and birds protected under the above Ordinances for scientific or special reasons, are issued by the Colonial Secretary in Stanley, and by the Magistrate in the Dependency.

( Preservation of Wild Animals and Bird Ordinance 1913 and subsequent orders in Council.)

See Res 16.

1

ORDINANCES, ORDERS IN COUNCIL, PROCLAMATIONS ETC.

IN CONNECTION WITH THE PRESERVATION OF

WILD ANIMALS AND BIRDS.

1913-1934.

1913. Principal Ordinance.....No. 1 of 1913.....Old Book of Ordinances.
1914. Govt Notice calling attention to the sections of above..Page 33 of 1914  
Gazettes.
1914. Order-in-Council.... Altering schedules to above.....Page 91 of 1914  
*(21 March)* *Order to Sch 1* Gazettes.
1914. Ordinance 9 of 1914. Penguin Preservation.....~~.....~~ P 180 of 1914  
Gazettes. *X*
1914. Regulations under the above.....~~.....~~ P 210 of 1914  
Gazettes. *X*
1915. Order-in-Council. Penguins added to Schedule 1 of Principal Ord. P.2.1915.  
*14 Dec 1914*  
-do- Upland Goose - South Georgia.....P.2 of 1915.  
*21<sup>st</sup> Dec* *only to have effect in 1915*
1920. Govt. Notice. Restriction as to taking of Penguin  
Eggs - Yorke Bay. ....~~.....~~ P.98 of 1920. *X*
1920. Order-in-council. Preservation of Redbreasted starling. P.04 of 1920.  
*11 Sept* (Cancelled P.104 of 1928.) *cancel*
1928. -do- Cancellation of o-in-c re redbreasted starling..P.104  
of 1928 Gazettes.
1929. Ordinance 9 of 1929. Prevention of cruelty to animals, Pages 41 and 182 of  
which includes birds. *X* 1929 Gazettes.
1931. Regulations. Under Ord 9 of 1914 period during which Penguin Eggs may be taken. *X* Page 10 of 1931  
Gazettes.
1931. Proclamation. Alteration of "Close Season" - -do-  
Section 3 of Ord. No.1 of 1915.  
1st Sept in any year to last day  
of Feb in any year.
1931. Order-in-Council. Additions to Schedules 1 and 2 Page 12 of 1931  
of Principal Ord. (Heron, Flamingo Gazettes.  
Hare and Teal.)
- 

*Aug 1.  
Proc. 1/32*

The Wild Animals and Birds Protection (Amendment) Ordinance, 1913.

Governor.

This Excellency the Governor, in virtue of the powers in him vested by section 7 of the Wild Animals and Birds Protection (Amendment) Ordinance, 1913, and otherwise, and with the advice and consent of the Executive Council, is hereby pleased to Declare, and it is hereby declared that the undermentioned wild birds shall be deleted from the list of animals and birds contained in Schedules I and II of the aforesaid Ordinance as amended by Order in Council dated the 31<sup>st</sup> day of March, 1934:-

adding the Grebe to Schedule I

Schedule I.

- Kelp Goose (Bernicula Antarctica)
- Thrush. (Turdus falklandicus)
- Wren. (Troglodytes Colbi)
- Sevesby's Gull (Larus Sevesbyi)
- Keck Pigeon (Columba Alba)
- Cuculodes (Cuculodes Antarcticaus)
- Grebe. (Podiceps tollandi and Calipareus?)

Schedule II

- Black-necked Swan. (Cygnus melanocoryphus)
- Great Petrel. (Maronectes giganteus) 2
- White or Coscoroba Swan
- Double-billed Plover (Actialitis falklandica)
- Mallard (Anas boschas)
- King Skay (Phalacrocorax Alceps)

(Coscoroba coscoroba) →

made by the Governor in Executive Council as a meeting, held on the \_\_\_\_\_

If the proposed amendments are made, Schedules I and II will stand as follows: -

Schedule I

(Animals and birds wholly protected)

Authority  
Ord. 1 of 1913  
O. in C. of  
21 Dec. 1914  
  
O. in C. of  
28 Jan'y 1931.  
" "  
O. in C. of  
1928.  
O. in C. of  
1914.

- Reindeer (*Rangifer tarandus*)
- Upland Goose (*Chloephaga magellanica*)  
(Prohibition applies only to the Dependency of South Georgia)
- Cocoi Heron, Stork (*Ardea cocoi*)
- Flamingo, Ruddy Flamingo (*Phoenicopterus chilensis*)
- Red-breasted Starling (*Trupialis falklandicus*)
- Penguins (all species)

Schedule II

(Animals and birds protected during breeding season)

Ord 1 of 1913  
" "  
" "  
" "  
" "  
O. in C. 1931  
" "  
" "

- Widgeon (*Marca sibiratica*)
- Teal (*Nettion flavirostre*)
- Grey Duck (*Anas cristata*)
- Pintail Duck (*Dafila spinicanda*)
- Snipe (*Capella paraguaiac*)
- Cinnamon Teal (*Querquedula cyanoptera*)
- Pampa Teal (*Querquedula versicolor*)
- Hare (*Lepus europaeus*)

GOVERNMENT HOUSE,  
STANLEY.

21st August, 1935.

FALKLAND ISLANDS.

No. 139.

Sir,

I have the honour to transmit six copies of an Order made by me in Executive Council on the 12th day of July, 1935, under the Wild Animals and Birds Protection (Amendment) Ordinance, 1913.

2. I have to explain that there would appear to be no good reason why the wild birds mentioned under Schedules I and II to the Order should continue to be prohibited, and on the advice of the Acting Government Naturalist these have been deleted from the list of animals and birds contained in Schedules I and II of the above mentioned Ordinance as amended by Order in Council dated the 31st of March, 1914, and the 28th of January, 1931.

3. I have to add that Mr. John Hamilton of Weddell Island, West Falkland, is endeavouring to introduce the Cape Horn Otter. He has obtained and brought from Patagonia at considerable expense specimens of this animal and it is thought that they will become established if protected. This animal has been added to Schedule I of the Ordinance.

I have the honour to be,

Sir,

Your most obedient  
humble servant,

(Sgd.) H. HENNIKER-HEATON

THE RIGHT HONOURABLE  
MALCOLM MACDONALD, M.P.,  
SECRETARY OF STATE FOR THE COLONIES.

# The Wild Animals and Birds Protection (Amendment) Ordinance, 1913.

(Sgd.) H. HENNIKER-HEATON

Governor.

His Excellency the Governor, in virtue of the powers in him vested by section 7 of the Wild Animals and Birds Protection (Amendment) Ordinance, 1913, and otherwise, and with the advice and consent of the Executive Council, is hereby pleased to Declare, and it is hereby declared that the undermentioned wild birds shall be deleted from the list of animals and birds contained in Schedules I and II of the aforesaid Ordinance as amended by Orders in Council dated the 31st day of March, 1914, and the 28th day of January, 1931 :

## SCHEDULE I.

Kelp Goose	( <i>Bernicla Antarctica</i> )
Thrush	( <i>Turdus Falklandicus</i> )
Wren	( <i>Troglodytes Cobbi</i> )
Scoresby's Gull	( <i>Larus Scoresbyi</i> )
Kelp Pigeon	( <i>Chionis Alba</i> )
Cinclodes	( <i>Cinclodes Antarcticus</i> )
Grebe	( <i>Podiceps Rollandi and Calipareus</i> ).

## SCHEDULE II.

Blacknecked Swan	( <i>Cygnus Melanocoryphus</i> )
White or Coscoroba Swan	( <i>Coscoroba Coscorba</i> )
Giant Petrel	( <i>Macronectes Giganteus</i> )
Double-ringed Plover	( <i>Aegialitis Falklandicus</i> )
Mallard	( <i>Anas Boschas</i> )
King Shag	( <i>Phalacrocorax Alriceps</i> ).

and that the undermentioned wild animal shall be added to Schedule I :

Cape Horn Otter.

Made by the Governor in Executive Council at a meeting held on the 12th day of July, 1935.

(Sgd.) A. I. Fleuret.

Clerk of the Executive Council.

24

MINUTE.

No. 14/31.

27th August, 19 35.

From

To The Registrar-General,

THE COLONIAL SECRETARY,

Stanley.

Stanley, Falkland Islands.

Recd 22.

I am directed by the Governor to attach herewith for insertion in the files of the Registrar-General, an authenticated copy of an Order in Council, dated the 12th of July, 1935, made under the Wild Animals and Birds Protection (Amendment) Ordinance, 1913.

*MCH*

Colonial Secretary.

(21)

NOTES ON THE LAW AND REGULATIONS IN FORCE RELATING  
TO THE REGISTRATION OF FIREARMS AND THE PROTECTION  
OF WILD ANIMALS AND BIRDS.

Firearms. All firearms must be registered with the Colonial Treasurer in Stanley, or with the Magistrate in South Georgia. Fee 5s/- payable for each gun or rifle for every Calendar year Ord.5 of 1930. or part thereof. Penalty for contravention a fine not exceeding £50 and to imprisonment, with or without hard labour, for a period not exceeding six months or to both such fine and imprisonment.

Seals. All seals are rigidly protected within the Colony and its Dependencies. Licences are issued by the Colonial Secretary, Stanley. Ord.8 of 1921. Penalty for contravention a fine not exceeding £100 and to imprisonment with hard labour for a period not exceeding six months.

Penguins. These birds are protected together with their eggs. Penguin egg licences are issued by the Colonial Secretary, Stanley, and by the Magistrate, South Georgia. The fee is 5s/- for each thousand eggs. Penalty for contravention forfeit and pay for every egg taken or destroyed a sum not exceeding five shillings. In the case of contravention by the owner or master of a vessel forfeiture of any eggs taken and any eggs found in his possession, and in addition is liable to a fine not exceeding £50 for each offence. Ord.9 of 1914.

Wild Animals and Birds. Animals and birds prohibited to be killed or taken at any time under Schedule 1 of the Wild Animals and Birds Protection (Amendment) Ordinance, 1913, as amended by Orders in Council dated the 31st of March, 1914, the 28th of January, 1931, and the 12th of July, 1935, are as follows:-

The Governor may authorise any person to kill or take any wild animal or bird specified in Schedules I and II and to export such animal or bird. In the case of the Dependencies such authority is issued by the Stipendiary Magistrate.

---



28

FAULKLAND ISLANDS

NO. 141

Downing Street,  
14 November, 1935.

Sir,

*Red 23*

I have the honour to acknowledge the receipt of your despatch No.139 of the 21st August, relating to an Order made on the 12th July 1935 under the Wild Animals and Birds Protection (Amendment) Ordinance 1913.

2. The specialists on birds in the Department of Zoology in the British Museum have pointed out that some of the birds deleted from the schedules are not common, few of them can be harmful, and that several have no sporting value. In the circumstances the Trustees of the British Museum have enquired for what reason the birds in question have been removed from the protected list; and I would be obliged if this information could be furnished.

I have the honour to be,

Sir,

Your most obedient

humble servant,

(Sgd.) MALCOLM MacDONALD

GOVERNOR

H. HENNIKER-HEATON, ESQ., C.M.G.,

&c., &c., &c.

GOVERNMENT HOUSE,  
STANLEY.

31st December, 1935.

FAKLAND ISLANDS.

No. 180.

Sir,

*Recd 28*

With reference to your despatch No. 141 dated the 14th of November, 1935, relative to an Order made on the 12th of July, 1935, under the Wild Animals and Birds Protection (Amendment) Ordinance, 1913, of the Falkland Islands, I have the honour to inform you that it was considered unnecessary to retain on the protected list certain birds on the ground that they are not common since experience has shown that these are seldom molested whether protected or otherwise.

2. I transmit for the information of the Department of Zoology in the British Museum, the accompanying copy of a Minute on the subject by the acting Government Naturalist who has considerable experience of the birds of the Colony and on whose recommendation the birds in question were removed from the protected list.

In duplicate.  
*Recd 29*

I have the honour to be,

Sir,

Your most obedient  
humble servant,

*(Sgd.)* H. HENNIKER-HEATON

THE RIGHT HONOURABLE  
J. H. THOMAS, P.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES.

14/31 Red 28. 21

The Honourable  
Colonial Secretary.

I very carefully weighed the position in the Colony of every bird deleted from the schedules, (red 22); and from a long experience amongst the birds of the Colony I feel that that course is fully justified. As the scheduled birds stood only a vindictive spirit was likely to be engendered therefrom; and this, I believe, was often the case.

Taking schedule 1. Every bird deleted is common, to very common, even abundant, but some are local affecting only selected sites suitable to their needs, but none the less can be classed as common birds.

*R.H.*  
Schedule 11. The two swans are not common, but they are perfectly safe from guns being particularly wary birds, and they breed only in very remote spots. The Giant Petrel and the Double-ringed Plover are numerous, the Mallard probably does not exist, while there must be, at least, a Million of King's Shag.

In both schedules, Mallard excepted, there is not one game bird, or one bird fit to eat under ordinary circumstances. I may add that the Stanley Museum does not possess either of the Swans, so difficult are they to collect, though I have, on several occasions seen flocks exceeding one hundred.

The gunner shoots for the pot, or birds classed as "vermin". I can see no good purpose being served by retaining on either schedule any bird that has been deleted; all local factors and conditions being taken into consideration, and they are many; on the contrary much good may be done by suppressing their advertisement which draws undue attention to them. Under ordinary circumstances not one single bird deleted ~~xxxxxx~~ is worth a cartridge; a few will be shot, either by accident or design; this has always been so, and will continue in spite of any legislation, but the numbers are trivial and can make no difference to the stock. Raptors, and cats gone wild are a *far* greater menace.

*R.G. Bennett*  
ag. Nat.  
20/12/35.

FALKLAND ISLANDS.

EG. 50.



Bowling Street,  
J March, 1936.

Sir,

I have the honour to acknowledge the receipt of your despatch No. 100 of the 31st December, 1935, relative to an Order made on the 12th July, 1935, under the Wild Animals and Birds Protection (Amendment) Ordinance, 1918, of the Falkland Islands, and to transmit a copy of a memorandum by Mr. H.B. Kinnear, Assistant Keeper in charge of Birds at the British Museum (Natural History).

The memorandum is intended to express Mr. Kinnear's personal views, and it is realized that there may be factors in local circumstances and feelings of which Mr. Kinnear is not in a position to be aware.

I have the honour to be,

Sir,

Your most obedient,  
humble servant,

(Signed) J. H. THOMAS

GOVERNOR

H. HENNIKER-HEATON, ESQ., C.M.G.,

etc., etc., etc.

*Recd 30*

MEMORANDUM by Mr. N. B. Kinnear, Assistant Keeper in charge of Birds at the British Museum (Natural History) - 28th February, 1936.

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Protection of Birds in the Falkland Islands.

The birds in Schedule I of the Falkland Islands Wild Animals and Birds Protection (Amendment) Ordinance, 1913 are protected all the year round, while those in Schedule II are protected during the breeding season 1st October to 29th February, but the Governor has the power to grant licences to take any of the birds in either of the schedules.

Increasing attention is being paid all the world over to the protection of birds, and it is undesirable to make such complete changes as are contemplated, without very careful consideration. For instance, can the Acting Naturalist supply any information as to the number of eggs laid, number of young hatched and brought up to maturity? No mention is made of this problem in his paper in the "Ibis", 1926, pp 306-333, and it is one of vital importance in considering the protection of birds.

It is admitted that no harm will be done by the removal from Schedule I of the Kelp Goose (Chloephaga hybrida), Thrush (Turdus falklandicus), Scoresby's Gull (Larus scoresbyi), and Kelp Pigeon (Chionis alba). The Wren (Troglodytes Cobbi), and Cinclodes (Cinclodes antarcticus), are birds of restricted distribution, and though they may be common where found, should be retained on Schedule I. The Grebes (Podiceps rollandi and calipareus) according to the paper in the "Ibis", are not very abundant and one is confined to the Falklands. There has been from time to time a great demand for Grebe skins for ladies hats and collars, and it seems advisable to retain them also.

Schedule II. The Acting Government Naturalist does not appear to have made out a good case for the removal of the two Swans from this Schedule. Both are wild and one is rare, but surely no one can object to protecting them in the breeding season. The same, too, might be said of the Double-ringed Plover (Charadrius falklandicus). To this Schedule we would suggest adding the Thrush and Kelp Goose, and the Kelp Pigeon, since the Falklands are its most northerly breeding station.

With regard to the Government Naturalist's comments - "As the scheduled birds stood only a vindictive spirit was likely to be engendered therefrom, and this I believe, was often the case" - I do not see why, if none of the birds in either schedule are edible, there should be any objection to their being protected. Why also should anyone object to the protection of a harmless bird in the breeding season?

14/51.

27th May, 56.

Sir,

I am directed by the Governor to attach a copy of a Memorandum by Mr. N. B. Kinnear, Assistant Keeper in charge of Birds at the British Museum (Natural History) on the subject of the protection of Birds in the Falkland Islands, and to request that you will call and discuss the question with Mr. Kinnear while you are on leave reporting the result on your return to the Colony.

I am,

Sir,

Your obedient servant,

Acting Colonial Secretary.

Mr. A. G. Bennett,  
c/o. The Crown Agents  
for the Colonies,  
4, Millbank, Westminster,  
LONDON, S.W. 1.

# GOVERNMENT TELEGRAPH SERVICE.

32

FALKLAND ISLANDS AND DEPENDENCIES.

## RECEIVED.

Number	Office of Origin	Words	Handed in at	Date
8	Port San Carlos	16	830	17.8.36

To

Hamilton Stanley.

EVANS REPORTS FIVE PARTRIDGES WHITE ROCK SUGGEST THEY  
ARE ADDED TO PROTECTED LIST

Cameron.

Time

Hon. Col. Sec.

The attached telegram arrived this morning. Is it possible that these are the offspring of the birds liberated at Port San Carlos.

2. ? Perhaps a regulation protecting "the birds resembling partridges" would be adequate in the absence of specific identification.

J. S. Hamilton

17:511:1926

NOTICE FOR 'PENGUIN'.

It has been reported that five partridges have been observed recently in the vicinity of White Rock, Port Howard, and it is possible that they are the off-spring of the birds liberated at Port San Carlos.

It is requested that every precaution should be taken for the preservation of these birds.

From H. E.

My

do these any more

why have I had to

the practice that or have

a clear answer. Please

let me have Mr.

~~Handwritten signature~~

28/8/36

40

GOVERNMENT HOUSE,

STANLEY.

31st October, 1936.

FALKLAND ISLANDS.

No. 152.

Sir,

I have the honour to transmit six copies of an Order made by me in Executive Council on the 12th day of September, 1936, under the Wild Animals and Birds Protection (Amendment) Ordinance, 1915.

I have the honour to be,

Sir,

Your most obedient  
humble servant,

(Sgd.) H. HENNIKER-HEALON

THE RIGHT HONOURABLE  
W. G. ORMSBY GORE, P.C., M.P.,  
SECRETARY OF STATE FOR THE COLONIES.

The Wild Animals and Birds Protection (Amendment) Ordinance, 1913.

(Sgd.) H. HENNIKER-HEATON

Governor.

His Excellency the Governor, in virtue of the powers in him vested by section 8 of the Wild Animals and Birds (Amendment) Ordinance, 1913, and otherwise, and with the advice and consent of the Executive Council, is hereby pleased to declare, and it is hereby declared, that the wild bird "Partridge" shall be added to Schedule I and the wild animal "Hare" expunged from Schedule II of the aforesaid Ordinance as amended by Orders in Council dated the 31st day of March, 1914, the 28th day of January, 1931, and the 12th day of July, 1935.

Made by the Governor in Executive Council at a meeting held on the 12th day of September, 1936.

(Sgd.) A. I. Fleuret.

Clerk of the Executive Council.

No. **14/31.**

(It is requested that, in any reference to this minute, the above Number and the date may be quoted).

MINUTE.

**4th November,** 19 **36.**

To **The Registrar-General,**

**STANLEY.**

Stanley, Falkland Islands.

From **THE HONOURABLE**

**THE COLONIAL SECRETARY,**

**STANLEY.**

I am directed by the Governor to attach herewith for insertion in your files an authenticated copy of an Order in Council, dated the 12th of September, 1936, made under the Wild Animals and Birds Protection (Amendment) Ordinance, 1913.

*JS*  
Acting Colonial Secretary.

14/31. 27th/5/36.

Stanley

27th November 1936.

Sir ,

*Rec 32*  
I have to thank you for your letter of the 27th of May requesting me to call on Mr N.B.Kinnear at the British Museum relative to bird protection within the Colony.

I had had a lengthy discussion with Mr Kinnear, on this very subject, some time prior to the receipt of your letter; after stating my reasons for my recommendations and pointing out the facts as they really exist here, I think that Mr Kinnear was, to some extent, satisfied.

Upon receipt of your letter I again approached Mr Kinnear on the subject, this time in conference with Dr, W, T, Calman C, B. D, Sc., F. R. S. Keeper of Zoology. The Discussion was short and to the point. Their claim was one of non interference, but advice. The main point seemed to be that it was much better, and easier, to retain a scheduled bird than to get it reinstated; to this I pointed out that the birds were perfectly safe .

Mr Kinnear expressed a wish to consult Mr Brian Roberts (Penola) upon his return, as an independent observer; to this course I readily agreed.

I am,

Sir,

Your obedient servant,

*A. Bennett*

Acting Gov: Naturalist.

To the

Colonial Secretary,

Stanley.

To Hon. Col. Sec.  
From Government Naturalist.  
Date 30th July, 1948.

43

14/31

HARES.

H.C.S.

I would address you on the subject of the European Hare in the Colony.

These animals were introduced to East Falkland many years ago, I think by the late Vere Packe, and have never established themselves generally, only in a very few well known localities; the restriction of distribution may very reasonably be attributed to the wet nature of our ground.

The known localities are (1) Sparrow Cove to Mangera Point (2) Stanley Common, the eastern, drier part in particular (3) Darwin, (4) North Arm, (5) Rincon del Moro.

I consider there is no prospect of them spreading over the Island.

2. For a number of years past the hares in the neighbourhood of Stanley have been consistently shot, by means of a row of guns walking up. When this method is used it is particularly lethal if the animals can be driven into a narrow area such as the end of Mangera Point.

Many, perhaps most, of these shoots took place during the summer when the hares breed and pregnant does ~~are~~ <sup>are</sup> killed, in fact the slowness which presumably arises from their condition would make the does easier targets than the unweighted stags.

3. The hare is the only animal which can provide any sport in the neighbourhood of Stanley and the recent constant shooting must have (a) reduced the numbers quite substantially and (b) simultaneously diminished the replacements by reason of the number of unborn animals destroyed.

3. Since shooting is one of the few outdoor recreations in the Colony I would propose that the close season be restored to the hares from the first of September to the last day of February.

*J. H. Hamilton*  
S. N.

An O.C. wd. be required.

14/31

46

10th August,

48.

Sir,

I am directed by the Governor to inform you that the restoration of a close season for hares from the 1st of September to the last day of February inclusive has been suggested.

*See 43.*

2. I am to invite your Association's views on the suggestion.

I am,

Sir,

Your obedient servant,

*Reply at 47*

Secretary,  
Sheep Owners' Association,  
STANLEY.

(Sgd.) A. B. MATHEWS  
Colonial Secretary.

MEMORANDUM.

47

2nd September, 1948.

From

THE FALKLAND ISLANDS SHEEPOWNERS ASSOCIATION,  
(Local Committee) STANLEY.

To The Honourable  
The Colonial Secretary,  
Stanley.

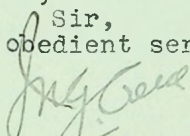
Sir,

46 I have to acknowledge receipt of your letter No. 14/31 dated 10th August, 1948.

It is the opinion of members of the Association that far from instituting a close season, payment should be made for the destruction of hares on the same lines and at the same rate as for turkey buzzards.

I am,

Sir,  
your obedient servant,



Secretary.

MBL  
4.9

A 50

H.P.S.

Re have note they are plentiful on Common 9 pairs were  
 seen by myself on the way down to the Light House on 16/9/48  
 But do not feel justified in recommending payment for notes of same  
 in this period of economy. Also saw several at Darwin & The Miro.  
 J.P.C.  
 d.o. 18/9/48

PAZ  
18/9

CLOSED See Vol. II

+

+